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O R 051137Z AUG 71
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC IMMEDIATE 8279
INFO AMEMBASSY BANGKOK
CINCPAC
AMCONSUL DANANG
USDEL FRANCE
AMEMBASSY PHNOM PENH
AMEMBASSY VIENTIANE

DEPARTMENT OF STATE A/CDC MR
REVIEWED BY Sean Szuberg DATE 1/26/82
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C O R R E C T E D C O P Y (TEXT - PARA 2)

CINCPAC FOR POLAD

SUBJ: FIRST POSTING OF PRESIDENTIAL CANDIDATES; INITIAL REACTION FROM MINH

REF: SAIGON 12432

1. SUMMARY. IN FIRST POSTING OF PRESIDENTIAL CANDIDATES: AUGUST 5, OFFICE OF SUPREME COURT ACCEPTED CANDIDACIES OF PRESIDENT THIEU AND GENERAL DUONG VAN MINH BUT PROVISIONALLY REJECTED APPLICATIONS OF VICE PRESIDENT NGUYEN CAO KY AND THE SURPRISE FOURTH SLATE FILED BY MR. NGUYEN TRAM. VICE PRESIDENT KY INTENDS TO APPEAL DECISION. END SUMMARY.

2. OFFICE (STANDING COMMITTEE) OF THE SUPREME COURT, COMPRISING FOUR OF NINE JUSTICES, ANNOUNCED AUGUST 5 ITS DECISION ON FIRST POSTING OF PRESIDENTIAL CANDIDACIES.

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OFFICE ACCEPTED APPLICATIONS OF PRESIDENT NGUYEN VAN THIEU AND GENERAL DUONG VAN MINH. IT ALSO DISCLOSED THAT THIEU'S CANDIDACY IS SUPPORTED BY VERIFIED ENDORSEMENTS FROM 452 PROVINCIAL COUNCILORS, 15 SENATORS AND 89 LH DEPUTIES, WHILE GENERAL MINH'S APPLICATION IS ENDORSED BY 16 SENATORS AND 28 DEPUTIES.

3. THE OFFICE OF THE SUPREME COURT ALSO ANNOUNCED DECISION TO REJECT PROVISIONALLY THE CANDIDACIES OF VICE PRESIDENT NGUYEN CAO KY AND OF MR. NGUYEN TRAM. (REFTEL) ACCORDING TO THE COURT'S STATEMENT, KY'S CANDIDACY WAS REJECTED BECAUSE 39 OF HIS COUNCILOR ENDORSEMENTS WERE NOT VERIFIED BY PROVINCE CHIEFS AND MAYORS AS REQUIRED BY THE ELECTION LAW AND ALSO THE SAME COUNCILORS HAD ALREADY ENDORSED PRESIDENT THIEU. THE COURT REJECTED THE SLATE OF MR. NGUYEN TRAM BECAUSE HIS APPLICATION WAS NOT SUPPORTED BY ANY ENDORSEMENTS, VERIFIED OR OTHERWISE.

4. IN ANNOUNCING ITS DECISION NOT TO POST THE SLATES OF VICE PRESIDENT KY AND MR. TRAM, THE OFFICE OF THE SUPREME COURT STATED THAT ITS ACTION IS SUBJECT TO APPEAL BY THE REJECTED CANDIDATES AND A SUBSEQUENT DECISION BY THE ENTIRE COURT BEFORE THE SECOND POSTING OF CANDIDATES, AUGUST 24.

5. MR. LE VAN THAI, KY'S CAMPAIGN MANAGER, CONFIRMED TO EMBOFF AUGUST 5 THAT FIRST POSTING REPRESENTED ONLY A TENTATIVE DECISION AND ASSERTED THAT VICE PRESIDENT KY WILL APPEAL THE ACTION.

6. WE HAVE JUST LEARNED FROM PRESS SOURCES THAT, ASKED TO COMMENT ON KY'S REJECTION, SPOKESMAN FOR GENERAL MINH DENOUNCED "FRADULENT MANEUVERS" DIRECTED AGAINST VICE PRESIDENT, HIS SUPPORTERS AND ALSO SAGAINST SUPPORTERS OF MINH. SPOKESMAN REPORTEDLY ADDED HE THOUGHT IT WOULD BE NECESSARY TO REEXAMINE MINH'S CANDIDACY.
BUNKER